

dandruff, and irritated scalp; that ordinarily dandruff or itching scalp would respond quickly to treatment with it and that satisfactory improvement or even complete elimination of these conditions would result in from 2 to 4 weeks; that it would bring about improvement in the less severe cases of falling hair in a few weeks and would be efficacious to correct the more severe cases of falling hair in from 3 to 6 months; and that it would be efficacious to develop new growth on bald areas, were false and misleading since it would not be efficacious for such purposes. The article in the 3-ounce bottles was alleged to be misbranded further in that the statement "Locao Belem has been thoroughly analyzed by the Pure Food and Drugs Department of the United States Customs and complies with rigid requirements of Pure Food and Drug Laws," appearing on the cartons, was false and misleading since it had not been found by a Government agency to be in strict compliance with the requirements relating to foods and drugs and it did not comply with the Federal Food, Drug, and Cosmetic Act.

On September 25, 1941, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$75.

488. Misbranding of Neff's Glan-Tex Tonic. U. S. v. George G. Neff (Prostex Co.).
Plea of nolo contendere. Judgment of guilty. Fine, \$250 and costs.
(F. D. C. No. 2883. Sample Nos. 16614-E, 16622-E.)

On March 22, 1941, the United States attorney for the Northern District of Oklahoma filed an information against George G. Neff, trading as the Prostex Co., Miami, Okla., alleging shipment on or about March 22 and April 1, 1940, from the State of Oklahoma into the State of Missouri, of quantities of Neff's Glan-Tex Tonic which was misbranded. The article was labeled in part: "Neff's Glan-Tex Tonic * * * Prostex Co. Miami, Okla."

Analysis showed that it consisted essentially of magnesium sulfate, small proportions of ammonium alum, a mineral acid such as sulfuric acid, minute proportions of quinine, compounds of potassium and iron, and a nitrate in water.

The article was alleged to be misbranded in that the name "Glan-Tex-Tonic," the word "Prostex" in the firm name, which appeared in the labeling, and certain statements in an accompanying circular were false and misleading since they represented that it was a gland tonic; that it would be efficacious in the treatment of prostate gland cases and kindred ailments of kidneys, bladder and urinary tract, colitis, dropsy, rheumatism, and infected internal organs; that it would be efficacious in the treatment of acute cases of suffering from prostatitis, irritated bladder disorders, and kindred ailments; that it would be beneficial in kidney disorders and dropsy, and would reduce the prostate gland and eliminate infection; that it would reduce enlarged glands, inflammation and swollen prostate glands in most cases; that it would be efficacious for the relief of pains and discomfort caused by prostatitis, cystitis (bladder trouble), urethritis, difficulty in urination, dribbling, getting up nights, congested and irritated condition of the prostate gland and urinary tract; that it would be efficacious for the relief of rheumatism, neuralgia, and pain occasioned by acute or chronic irritation and congestion; that it would be valuable as an antiseptic; and that it contained internal antiseptics; whereas it was not a gland tonic and it would not be efficacious for the purposes for which it was so recommended.

On December 8, 1941, a plea of nolo contendere having been entered, the court found the defendant guilty and imposed a fine of \$250 on count I of the information, together with costs, and placed the defendant on probation for 1 year on count II.

489. Misbranding of No-Wheez Cough Syrup and No-Wheez for Asthma. U. S. v. No-Wheez Corporation. Plea of guilty. Fine, \$101. (F. D. C. No. 2878. Sample Nos. 15413-E, 15414-E.)

On January 30, 1941, the United States attorney for the Eastern District of Missouri filed an information against the No-Wheez Corporation, St. Charles, Mo., alleging shipment on or about March 1 and May 24, 1940, from the State of Missouri into the State of Illinois of quantities of No-Wheez Cough Syrup and No-Wheez for Asthma, which were misbranded.

Analyses of samples of the articles showed that the No-Wheez Cough Syrup consisted essentially of small proportions of pine tar, menthol, an emodin-bearing drug, chloroform, sugar, and water; and that the No-Wheez for Asthma consisted essentially of small proportions of inorganic salts commonly found in mineral water, pine tar, and an emodin-bearing drug, and water.

The articles were alleged to be misbranded in that representations in the labeling (No-Wheez Cough Syrup) that it would be efficacious in the treatment

of bronchitis, whooping cough, sore throat, and other such irritations, and that it would prevent wheezing in said disorders; and (No-Wheez for Asthma) that it would be efficacious in the treatment of asthma and hay fever, that it would bring lasting relief to asthma and hay fever sufferers, and that it would prevent wheezing in asthma and hay fever, were false and misleading since they would not be efficacious for such purposes.

On May 6, 1941, a plea of guilty having been entered on behalf of the company, the court imposed a fine of \$101.

490. Misbranding of Pedimoll. U. S. v. Pedimoll Corporation. Plea of nolo contendere. Fine, \$100. (F. D. C. No. 2881. Sample Nos. 7444-E, 7445-E.)

On January 17, 1941, the United States attorney for the Southern District of California filed an information against the Pedimoll Corporation, Los Angeles, Calif., alleging delivery on or about April 25, 1940, for introduction in interstate commerce from the State of California into the State of New York of a quantity of Pedimoll that was misbranded. It was labeled in part: "Pedimoll * * * A Creme for the Feet."

Analysis of a sample of the article showed that it consisted essentially of a magnesium compound and small proportions of sulfur and cresol in an oil base.

The article was alleged to be misbranded in that statements in the labeling representing that it would be efficacious in the treatment of bunions, callouses, corns, tired, aching, sore, swollen or sweaty feet, muscular soreness, most skin irritations, eczema, acne; that it would be efficacious for the elimination of athlete's foot, impetigo, sunburn; that the daily use of the drug would prevent suffering with one's feet, defeat foot troubles, and make walking a pleasure; that it was efficacious as a remedy for tired, sore, swollen, cracked, blistered, burning, itching, irritated, infected, aching or painful feet; that it would have a swift germicidal effect and a safe healing action; that said drug would almost instantly relieve the burning and soreness, reduce the swelling, stimulate circulation and normalize tired feet; that it would relieve the soreness and reduce the swelling and inflammation of corns, callouses and bunions, and would cause callouses and corns to soften and gradually disappear; that when used on any part of the body, it would relieve conditions caused by muscular soreness and strain, swelling, itching, sunburn, bruises, insect bites, sore joints, varicose veins, eczema, acne, impetigo, chapped hands; that children, by its use, would be spared suffering from corns and callouses, and infections which often mean a sacrifice to the general health of the growing child; that it would prevent infection if applied to the feet immediately before or after exposure; that it would penetrate and act as a safeguard covering against athlete's foot; that it would reach deep into the pores and purge the skin of impurities; that it would restore the normal elimination through the pores of the feet and correct excessive perspiration or extreme dryness, and would give almost instant relief in most forms of foot trouble; that a small quantity of said drug, rubbed into the feet until it disappeared, would enable the user to walk over the worst infected floors of clubs, gymnasiums or swimming pools without fear of most infections, and that a daily treatment would prevent reinfection from shoes and other sources; that it would keep the feet of businessmen fit and would keep the feet of salespeople in the best of condition; that it would help nature reestablish surface skin; that it would be efficacious in the treatment of nervous, wobbly, stiff, swollen, flabby, knotty legs, and varicose veins; would tone the circulation, soothe the nerves, loosen the knotted adhesions within the muscles, relieve soreness and swelling, promote healing, and foster elasticity of hardening vein walls, and would enliven the legs and give them pep and endurance; that its use would be beneficial and relieving after removing surgical stocking or bandages from a leg or ankle which has suffered a strain or break or varicose vein condition; and that its use would keep legs which are limber and graceful in such condition, were false and misleading since it would not be efficacious for such purposes.

On February 17, 1941, a plea of nolo contendere was entered on behalf of the defendant and the court imposed a fine of \$100.

491. Misbranding of Robinson's for Rheumatism, Arthritis, Neuritis, and Lumbago. U. S. v. Albert J. Robinson. Plea of nolo contendere. Judgment of guilty. Fine, \$25. (F. D. C. No. 2856. Sample No. 1833-E.)

On November 18, 1940, the United States attorney for the Eastern District of Pennsylvania filed an information against Albert J. Robinson, Allentown, Pa., alleging shipment on or about May 29, 1940, from the State of Pennsylvania into